

NO. 5:14-CR-00090-FL-1

ORDER

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the court shall consider the motion as one under § 2255 and shall consider it filed as of the date movant's first letter was filed—August 7, 2015. If, however, movant fails to respond to this order, the court will not treat his filings as a § 2255 motion but will construe the filings simply as correspondence and no further action will be taken.

Where movant's filings do not substantially follow the form appended to the Rules Governing § 2255 Proceedings and are therefore not in compliance with Rule 2(c) of the Rules Governing § 2255 proceedings and Local Civil Rule 81.2 of this court, the clerk of court is DIRECTED to send a copy of the appropriate form to movant. If movant requests that the court consider his filings a § 2255 motion, movant must complete the § 2255 form in its entirety, sign it under penalty of perjury (or a person authorized by movant, such as an attorney, may sign it) and file the original with the clerk of this court. Movant is DIRECTED to return the form, in accordance with these instructions, within 21 days from the filing of this order. Failure to do so may result in dismissal of this action or the striking of movant's filings. Movant is cautioned that his filing on the proper form will be considered the § 2255 motion in its entirety and the court will not review movant's previously filed letters or other filings to glean any misplaced claims. All filings, including § 2255 motions on the correct form, must be submitted to:

Clerk of Court
United States District Court, E.D.N.C.
Terry Sanford Federal Building
310 New Bern Avenue, Room 574
Raleigh, NC 27601
ATTN: Prisoner Litigation Division

SO ORDERED, this the 15th day of January, 2016.



LOUISE W. FLANAGAN
United States District Judge